

WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON LLP

PATENT, TRADEMARK, COPYRIGHT AND COMPUTER LAW COUNSEL

BRADFORD GREEN, BUILDING FIVE

755 MAIN STREET

P. O. BOX 224

MONROE, CONNECTICUT 06468

TELEPHONE: (203) 261-1234

FACSIMILE: (203) 261-5676

E MAIL: mail@wfva.net

ROBERT H. WARE
ALFRED A. FRESSOLA
K. BRADFORD ADOLPHSON
FRANCIS J. MAGUIRE, JR.
WILLIAM J. BARBER
JAMES R. FREDERICK
MILTON M. OLIVER*
JACK M. PASQUALE
THADDIUS J. CARVIS
STEPHEN B. SHEAR**
JAMES A. RETTER, Ph.D.
ANDREW T. HYMAN

*MA AND NY BAR
**VA AND NY BAR

PETER C. VAN DER SLUYS
(1939-1991)

KENNETH Q. LAO, Ph.D.
PATENT AGENT

January 23, 2002

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington DC 20231

Re: Francis J. Maguire, Jr.
Method and Devices for Displaying Images for Viewing
with Varying Accommodation
Our Ref. 313-012-1

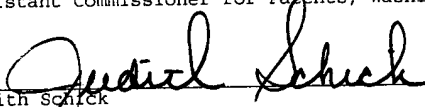
Dear Sir:

The enclosed mailing comprises:

Utility Patent Application Transmittal--1 pg
Fee Transmittal--1 pg
Nonpublication Request--1 pg
Application w 7 pg spec, 2 pg claims, 1 pg abstr, 4 pg drw
Declaration
Check 18343 \$370 filing fee
Return postcard

FILING OF PAPERS AND FEES BY "EXPRESS MAIL"
WITH CERTIFICATE IN ACCORDANCE WITH 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail" in an envelope with Mailing Label No. EV 005524163 US placed thereon prior to mailing and addressed to the Assistant Commissioner for Patents, Washington DC 20231.


Judith Schick

Dated: 1-23-02

01/23/02

057 U.S. PAT. & TM. OFF.

Please type a plus sign (+) inside this box → ☒

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **313-12-1**

First Inventor **Francis J. Maguire, Jr.**

Title **Method and Device for Displaying**

Express Mail Label No. **EV 005524163 US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **10**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
5. Oath or Declaration [Total Pages **2**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label **20412** or ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

| | | | |
|---------|-----------|----------|--|
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|--------------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Francis J. Maguire, Jr. | Registration No. (Attorney/Agent) | 31,391 |
| Signature | <i>Francis J. Maguire, Jr.</i> | Date | 21 Jan 02 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

1002439-01330

01/23/02

10/057489

01/23/02

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 370.00

Complete if Known

Application Number

Filing Date

First Named Inventor

Francis J. Maguire, Jr.

Examiner Name

Group Art Unit

Attorney Docket No.

313-12-1

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

101 740 201 370

Utility filing fee

370

106 330 206 165

Design filing fee

107 510 207 255

Plant filing fee

108 740 208 370

Reissue filing fee

114 160 214 80

Provisional filing fee

SUBTOTAL (1) (\$) 370

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

103 18 203 9

Claims in excess of 20

102 84 202 42

Independent claims in excess of 3

104 280 204 140

Multiple dependent claim, if not paid

109 84 209 42

** Reissue independent claims
over original patent

110 18 210 9

** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65

Surcharge - late filing fee or oath

127 50 227 25

Surcharge - late provisional filing fee or
cover sheet

139 130 139 130

Non-English specification

147 2,520 147 2,520

For filing a request for *ex parte* reexamination

112 920* 112 920*

Requesting publication of SIR prior to
Examiner action

113 1,840* 113 1,840*

Requesting publication of SIR after
Examiner action

115 110 215 55

Extension for reply within first month

116 400 216 200

Extension for reply within second month

117 920 217 460

Extension for reply within third month

118 1,440 218 720

Extension for reply within fourth month

128 1,960 228 980

Extension for reply within fifth month

119 320 219 160

Notice of Appeal

120 320 220 160

Filing a brief in support of an appeal

121 280 221 140

Request for oral hearing

138 1,510 138 1,510

Petition to institute a public use proceeding

140 110 240 55

Petition to revive - unavoidable

141 1,280 241 640

Petition to revive - unintentional

142 1,280 242 640

Utility issue fee (or reissue)

143 460 243 230

Design issue fee

144 620 244 310

Plant issue fee

122 130 122 130

Petitions to the Commissioner

123 50 123 50

Processing fee under 37 CFR 1.17(q)

126 180 126 180

Submission of Information Disclosure Stmt

581 40 581 40

Recording each patent assignment per
property (times number of properties)

146 740 246 370

Filing a submission after final rejection
(37 CFR § 1.129(a))

149 740 249 370

For each additional invention to be
examined (37 CFR § 1.129(b))

179 740 279 370

Request for Continued Examination (RCE)

169 900 169 900

Request for expedited examination
of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)

Francis J. Maguire, Jr.

Registration No.
(Attorney/Agent)

31,391

Complete (if applicable)

Telephone

203 261 1234

Signature

Francis J. Maguire, Jr.

Date

21 JAN 02

WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | | |
|----------------------|---|--|
| First Named Inventor | <i>Francis J. Maguire, Jr.</i> | |
| Title | <i>Method and Devices for Displaying...</i> | |
| Atty Docket Number | <i>313-12-1</i> | |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country; or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

21 JAN 02

Date

Francis J. Maguire, Jr.

Signature

Francis. J. Maguire, Jr.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10057489 013300

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/01/2002 MBIZUMES 00000010 10057409

01 FC:201

370.00 DP

PTO-1556
(5/87)